

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
	:	
v.	:	DATE FILED: _____
	:	
DANIEL HUTCHISON	:	VIOLATIONS:
TODD HUTCHISON	:	18 U.S.C. § 371 (conspiracy to receive
	:	and possess stolen motor vehicles -
	:	1 count)
	:	Notice of forfeiture

INFORMATION

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to this information:

1. Defendants DANIEL HUTCHISON and TODD HUTCHISON were employees of a steel fabrication company.

THE CONSPIRACY

2. From in or about January 2002 to in or about April 2002, in the Eastern District of Pennsylvania, the Districts of New Jersey and Maryland, and elsewhere, defendants

DANIEL HUTCHISON
and
TODD HUTCHISON

conspired and agreed together with Francis Martin (charged elsewhere), and other known and unknown to the United States Attorney, to knowingly receive, possess, conceal, store, sell and dispose of stolen motor vehicles which crossed a state boundary after being stolen, knowing such vehicles to have been stolen, in violation of Title 18, United States Code, Section 2313.

MANNER AND MEANS

It was part of the conspiracy that:

3. Raymond King and Kevin Tucker, who were both charged elsewhere, stole heavy equipment and motor vehicles and transported them in interstate commerce.

4. Francis M. Martin acted as the middleman in the sale of stolen heavy equipment and motor vehicles, which had been stolen, transported, and received in interstate commerce by Raymond King and Kevin Tucker.

5. Defendants DANIEL HUTCHISON and TODD HUTCHISON arranged with Francis Martin to purchase two stolen Scat Trak Kubota skid steer loaders at a price much less than the true value of the equipment.

6. Defendants DANIEL HUTCHISON and TODD HUTCHISON directed Francis Martin to have the two stolen Scat Trak Kubota skid steer loaders delivered to a business located in Eddystone, Pennsylvania.

7. Defendants DANIEL HUTCHISON and TODD HUTCHISON received and possessed stolen motor vehicles which had a total value of approximately \$33,273.

OVERT ACTS

In furtherance of the conspiracy, defendants DANIEL HUTCHISON and TODD HUTCHISON, and others known and unknown to the United States Attorney, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. On or about January 24, 2002, Raymond King and Kevin Tucker stole two Scat Trak Kubota skid steer loaders, valued at approximately \$33,273, from A. A. Matulry Rental Company located in Raritan Township, New Jersey and transported the equipment using a 1995 Ford Avis box truck from a Getty gas station located in Flemington, New Jersey.

2. On or about January 24, 2002, defendant DANIEL HUTCHISON spoke to Francis Martin and discussed the availability of the two stolen Scat Trak Kubota skid steer loaders for sale. Defendant DANIEL HUTCHISON stated that he was interested in buying the two pieces of equipment.

3. On or about January 24, 2002, defendants DANIEL HUTCHISON and TODD HUTCHISON accompanied Francis Martin to a location in Williamstown, New Jersey to view the two stolen Scat Trak Kubota skid steer loaders.

4. On or about January 25, 2002, at the direction of defendant DANIEL HUTCHISON, Francis Martin arranged for Raymond King to deliver the two stolen Scat Trak Kubota skid steer loaders to defendants DANIEL HUTCHISON and TODD HUTCHISON at a business located in Eddystone, Pennsylvania.

5. On a date subsequent to January 25, 2002, defendants DANIEL HUTCHISON and TODD HUTCHISON removed identifying stickers from the two stolen Scat Trak Kubota skid steer loaders before they resold them to others.

6. On or about February 8, 2002, Francis Martin spoke to Raymond King by phone and stated that defendant DANIEL HUTCHISON had complained that one of the stolen Scat Trak Kubota skid steer loaders was missing a bucket attachment and they had received a reduced price from their customer for that piece of equipment as a result. Martin told King that defendant DANIEL HUTCHISON wanted King to obtain the missing bucket attachment.

7. On or about February 21-23, 2002, Raymond King spoke to Francis Martin and discussed that King had obtained a bucket attachment which had been requested.

8. On or about February 25, 2002, Francis Martin called Raymond King to

make arrangements for defendants DANIEL HUTCHISON and TODD HUTCHISON to pick up the bucket attachment at a residence in Williamstown, New Jersey.

9. On or about February 26, 2002, defendant TODD HUTCHISON traveled to a residence in Williamstown, New Jersey and picked up the bucket attachment for one of the stolen Scat Trak Kubota skid steer loaders.

10. On or about February 27, 2002, defendant DANIEL HUTCHISON called Francis Martin and stated that they had been given the wrong bucket attachment and wanted to exchange it for the correct one.

11. On or about March 4, 2002, defendant DANIEL HUTCHISON talked to Francis Martin to inquire about the delay in obtaining the bucket attachment and told Martin that they had sold one of the two stolen skid steer loaders to a customer in Maryland who was anxious to receive the correct bucket attachment.

12. On or about April 5, 2002, defendant DANIEL HUTCHISON called Francis Martin and stated that his customer was tired of waiting because the customer could not use the skid steer loader without the bucket attachment.

In violation of Title 18, United States Code, Section 371.

NOTICE OF FORFEITURE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 371 as described in Count One of this information, defendants

**DANIEL HUTCHISON
TODD HUTCHISON**

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(5), any and all property, real or personal, which represents or is traceable to the gross proceeds obtained directly or indirectly, as a result of those violations, including but not limited to the following:

The sum of \$33,273 in United States currency and the following stolen items recovered during the course of the investigation:

Scat Trak Kubota skid steer loader, Serial No. 102920; and

Scat Trak Kubota skid steer loader, Serial No. 100899.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b)(1), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other

property of the defendant up to the value of the above forfeitable property.

In violation of Title 18, United States Code, Section 982.

PATRICK L. MEEHAN
United States Attorney